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January 3, 2006

By Fax Number 212-805-6390

Honorable William H. Pauley III  
United States District Court  
Southern District of New York  
500 Pearl Street  
Room 2210  
New York, New York 10007

*The conference scheduled for  
January 4, 2006 is cancelled.*

SO ORDERED:

*William H. Pauley*  
WILLIAM H. PAULEY III U.S.D.J.

1/3/06

Re: United States v. Any and All Funds in Account Nos. 0720002445, et al.  
05 Civ. 9105 (WHP)

Dear Judge Pauley:

After conferring with the government and your Honor's clerk, I am writing to advise the Court that we have determined not to submit the motion on behalf of claimant Ana I. Almonte referred to in our letter to the Court dated December 20, 2005. Accordingly, the pre-motion conference scheduled for tomorrow at 10:00 a.m. is no longer necessary, and it is our understanding that an appearance will not be required.

Additionally, I wish to advise the Court that the parties are discussing the possibility of jointly seeking a stay of the present proceeding pending adjudication of the parallel criminal proceedings against Ms. Almonte. We have agreed with the government that, within 20 days of today's date (and prior to the conference scheduled for January 27, 2005), we will either file an answer to the complaint, or notify the Court of an agreement to seek a stay.

Respectfully,

*Ivan S. Fisher*  
Ivan S. Fisher  
Attorney for Claimant  
Ana I. Almonte

cc: Lisa Korogolos, Esq.